

WEST of SCOTLAND ARCHAEOLOGY SERVICE



West of Scotland Archaeology Service Access to Information and Charging Policy

This policy statement sets out the framework and guidelines for access to information held by the West of Scotland Archaeology Service and to information contained in the West of Scotland Historic Environment Record (HER). It also sets out the level and circumstances of charges which will be levied by the West of Scotland Archaeology Service for the provision of HER information and/or curatorial archaeological advice. The policy was approved by the West of Scotland Archaeology Service Joint Committee on 19 March 2015.

Access to Information

The West of Scotland Archaeology Service Joint Committee is fully committed to transparency in its dealings with the public and fully embraces the aims of the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, the INSPIRE (Scotland) Regulations 2009, and the access provisions of the Data Protection Act 1998. The Joint Committee will make every effort to meet its obligations under the respective legislation and will regularly review procedures to ensure that it is doing so.

Data Protection Act 1998

A right to access exists to inspect personal information held in a computerised system registered under the Data Protection Act. The Data Protection Act gives rights to individuals about whom information is held either on computer or in a manual record. The Act also places obligations on those who record and use personal data to be open about that use and to follow sound and proper practices. The West of Scotland Archaeology Service does not routinely seek to collect or hold data of a personal nature within its records, and only does so to monitor and improve the services offered by the Service. If you have any queries or concerns about personal data which may be held by the Service, please contact the manager of the Service on 0141 287 8332.

Freedom of Information (Scotland) Act 2002

The West of Scotland Archaeology Service Joint Committee supports the principle that the public has right of access to information held by the West of Scotland Archaeology Service. The Committee seeks to promote an open regime regarding access to information, subject to any exemptions contained within the legislation.

Environmental Information (Scotland) Regulations 2004

The Environmental Information Regulations (Scotland) 2004 gives the public the right to request environmental information. Following the Scottish Government guidance on what is covered by the Environmental Information Regulations (Scotland) 2004, issued to local authorities in 2005 (Paper 2005/21), the Joint Committee considers the West of Scotland Historic Environment Record to be a body of information covered by these Regulations. All enquiries for Historic Environment Record information will therefore be treated as falling under the Environmental Information Regulations (Scotland) 2004. Under these Regulations the Joint Committee may levy a reasonable charge for the provision of information, reflected in the fee charge policy set out below.

INSPIRE (Scotland) Regulations 2009

The purpose of the INSPIRE (Scotland) Regulations 2009 is to create a Europe-wide electronic network of spatial information which is accessible to the public. "Spatial information" is information which has a geographical reference. Following the Scottish Government guidance on the obligations created by INSPIRE (Scotland) Regulations 2009, issued to local authorities in March 2011 (A Guide to the INSPIRE (Scotland) Regulations 2009 SSI/2009/440), the Joint Committee considers the West of Scotland Historic Environment Record to include spatial information to which these Regulations apply. All relevant spatial datasets within the Historic Environment Record will conform to the requirements of the Regulations.

Access to Sites and Monuments Record Information

There is no general physical access to the West of Scotland Historic Environment Record for the public to conduct their own HER searches, as the building which houses the Record is unsuitable for such access. It may occasionally be possible by prior appointment to speak to one of the West of Scotland Archaeology Service team, or to view archaeological information in the HER in the Service's office. To contact the Service to make an appointment please write, telephone, or email, using the contact details at the end of this policy statement.

Enquiries to the Historic Environment Record by post, telephone, or email are welcomed. Historic Environment Record data is also published via a number of online search engines as follows:

<http://gis.south-ayrshire.gov.uk/mapsWosas/mapSMR.htm>

(WoSAS's own map-enabled search)

<http://www.wosas.net/search.php>

(WoSAS's online database search)

<http://jura.rcahms.gov.uk/PASTMAP/start.jsp>

(Scottish Ministers' map-enabled search)

The recommended source for online searches of the HER is the first of these, the West of Scotland Archaeology Service's own map-enabled search. The online HER data is provided for public search free of charge.

Copies of archived reports of archaeological fieldwork, which have been submitted to the HER, will be made available to the public on request, subject to the charges set out below. Users of such supplied report(s) are reminded that the report(s) remain the copyright of the author(s) and supply of a copy (or copies) of a report (or reports) by the HER does not entitle the user to infringe this copyright.

Charges for Time to Supply Information and/or Curatorial Advice

At the discretion of the Archaeology Service Manager archaeological information and/or curatorial archaeological advice will be supplied free of charge to students, genuine researchers, and members of the public within reasonable limits. The Service reserves the right to decline to process excessively complex or poorly structured enquiries. At the discretion of the Archaeology Service Manager, there may be a charge for the provision or use of unusual materials, or for postage and packing for the supply of information where this cannot be supplied digitally. Photocopies or offprints may be charged at the cost of 10p per sheet.

The Archaeology Service will impose a charge for the time expended to meet commercial requests for information and/or curatorial advice. This is intended to reflect the cost of staff time in carrying out the task, related overheads such as the maintenance of the computer systems, compensation for time lost to other functions, and the cost to the Archaeology Service of providing the service. Charges may be waived at the discretion of the Archaeology Service Manager. Estimates of likely costs for individual commercial enquiries will be supplied on request, and before any costs have been incurred.

Provision of digital data extracts from the Historic Environment Record to professional archaeological consultants acting for commercial clients will incur a charge of **£100** (+VAT) per hour, or part-hour spent in their preparation. In practice, all but the most complex and large-scale digital extracts are normally prepared within the first hour. Alternatively the consultant may access the required HER information free of charge via the West of Scotland Archaeology Service online map-enabled HER search at <http://gis.south-ayrshire.gov.uk/mapsWosas/mapSMR.htm>.

Except where detailed below, the charge for staff time spent in providing information, detailed curatorial advice, or other assistance in respect of commercial requests and enquiries will be **£100** (+VAT) per hour, or part-hour, from 1 April 2015 until further notice. In the event that a site visit or meeting is required on behalf of the enquirer, mileage and subsistence at local government rates will be charged in addition. At the discretion of the Archaeology Service Manager, charges may be waived for the provision of general scoping information to archaeological contractors prior to their appointment by a prospective client.

The Archaeology Service can provide curatorial advice to commercial developers and their agents regarding the preparation of documentation which may be required to address archaeological issues arising from their proposals. The advice on the scope of work and the format and content of the required supporting information and project design documents is intended to provide advance validation of the documents

to facilitate their speedy approval by the planning authority or any other relevant regulatory authority. In order to allow reasonable financial planning by commercial bodies, and to avoid time-dependent charges growing unpredictably, the charge for the iterative process of assessing, commenting on, and agreeing project documents will be based on the type of document to be considered and the size of the proposed development application area, rather than calculated at the above hourly rate.

Developers and agents not wishing to take advantage of this assessment and advice service remain free to submit their preferred draft of the required documentation to the planning authority for approval. Comments on the suitability, or otherwise, of submitted documentation which has not been assessed and agreed in advance with the Archaeology Service will be provided to the planning authority at their request.

Table 1. Scale of charges

Service provided	Proposed Charge
Digital HER extract	£100 + VAT/hour
Pre-application advice to developer/agent	£100 + VAT/hour
Validation of developer's submitted:	
<ul style="list-style-type: none"> • Desk-based Assessment (DBA) <ul style="list-style-type: none"> All sizes 	£100 + VAT
<ul style="list-style-type: none"> • Watching Brief Method Statement (MS) <ul style="list-style-type: none"> All sizes 	£100 + VAT
<ul style="list-style-type: none"> • Written Scheme of Investigation (WSI) <ul style="list-style-type: none"> 0.5ha or less 0.5ha – 10ha 10ha and above 	£100 + VAT £200 + VAT £500 + VAT
<ul style="list-style-type: none"> • Archaeological Mitigation Strategy (AMS) <ul style="list-style-type: none"> Major & multi-phase applications only 	£500 + VAT

Payment is to be made on receipt of an invoice from Glasgow City Council on behalf of the Archaeology Service.

Guidelines for Access to Historic Environment Record Information

The West of Scotland Archaeology Service works to time performance requirements set by its Joint Committee. This requires 80% of responses to be made to enquirers within a 21 day calendar period. In practice many HER enquiries are handled within a much shorter timescale and typically responses are made within a week. If enquirers require a more urgent response, they should make this clear on making their enquiry.

Although every reasonable effort is made to verify information contained within the HER database, the database is compiled from a variety of often-unchecked sources. Unchecked information cannot be seen as definitive. Therefore, the West of Scotland Archaeology Service does not accept responsibility for the accuracy of any HER Information supplied by it. The user of HER Information accepts that, except in any matter where it is not possible in law to exclude or limit liability, the West of Scotland Archaeology Service accepts no liability whether for direct, indirect, consequential or incidental damages or losses arising from the use of HER Information.

Digital extracts of HER data will only be provided to professional archaeological organisations or bodies capable of handling unmediated archaeological data. Such extracts will have an expiry time of 6 months beyond which time they will no longer be valid.

The boundaries of Scheduled Monuments shown on any maps provided by the HER have been derived from digital data supplied by Historic Scotland and are intended to act as a guide only. For definitive information on Scheduled Monuments the enquirer should contact Historic Scotland.

The whole of the copyright and all other intellectual property rights throughout the world for the whole of the term of such copyright in the HER Information is held by the West of Scotland Archaeology Service. Dissemination to a third party of the HER Information without the written consent of the Archaeology Service shall be deemed a breach of that copyright. HER Information supplied to an enquirer shall not be retained after the specific use for which it was requested has finished. Where specific consent under the copyright provisions governing the HER has been obtained for dissemination of HER Information to third parties through publications, reports or theses, due acknowledgement of the use of HER Information will be given.

Users of HER data will be expected to inform the HER of new sites or of information which comes to light as a result of their research. Copies of, or access to, the completed research should be made available to the HER within 6 months of completion.

The Historic Environment Record may be contacted as follows:

West of Scotland
Archaeology Service
231 George Street
Glasgow
G1 1RX

Tel: 0141 287 8333
Email: enquiries@wosas.glasgow.gov.uk
Web: <http://www.wosas.net>

The Archaeology Service of the Councils of Argyll & Bute, East Ayrshire, East Renfrewshire, Glasgow City, North Ayrshire, Renfrewshire, South Ayrshire, South Lanarkshire, West Dunbartonshire and West Lothian, and the Loch Lomond and the Trossachs National Park Authority.